

**HOUSE JOURNAL
58TH LEGISLATURE
EIGHTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
April 22, 2003

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Laslovich. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Fritz, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-fourth, seventy-fifth, seventy-sixth, seventy-seventh, and seventy-eighth legislative days, find the same to be correct.

Bookout-Reinicke, Chair

Representative Fritz present at this time.

Mr. Speaker introduced the pages of the week:

Kandice Lesofski, White Sulphur Springs
Anna Marxer, Dillon
Heather Owens, Polson
Vanessa Pattison, Glasgow
Andrew Smith, Bozeman

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 4/22/2003
Correctly printed: **SB 399, SB 446, SJR 29, SJR 31.**
Correctly enrolled: **HB 3, HB 4, HB 18.**
Examined by the sponsor and found to be correct: **HB 3, HB 4, HB 18.**

APPROPRIATIONS (Lewis, Chairman): 4/22/2003
SB 492, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

**FREE CONFERENCE COMMITTEE
on House Bill 13
Report No. 1, April 22, 2003**

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 13** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 13** (reference copy -- salmon) be accepted by the House.

For the House:

For the Senate:

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A. Olson, Chairman
Barrett

Zook, Chairman
Tash

FREE CONFERENCE COMMITTEE
on **Senate Bill 252**
Report No. 1, April 17, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 252** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 252** (reference copy -- salmon) be amended as follows:

1. Title, page 1, lines 7 through 8.

Strike: "EACH" on line 7

Insert: "CERTAIN"

Strike: "ELECTION"

Insert: "ELECTIONS"

Strike: "AND" on line 7 through "PROVIDED" on line 8

2. Page 2, lines 8 through 9.

Strike: "for as long" on line 8 through "application" on line 9

Following: "."

Insert: "However, the application is valid for only one federal election and all other elections until the next federal election."

3. Page 3, line 17.

Strike: "administration"

Insert: "administrator"

Strike: "."

4. Page 3, line 18.

Strike: "(A)"

Following: "request"

Strike: "that an"

Strike: "ballot,"

5. Page 3, lines 19 through 23.

Strike: "when available" on line 19 through "BALLOT" on line 23

Insert: "ballots for subsequent elections, as provided in 13-13-212(5)"

Following: "FORM"

Insert: ", or another form prescribed by the secretary of state,"

Strike: "PROVIDE"

Insert: "verify"

6. Page 3, line 24.

Following: "ADDRESS"

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Insert: "and must be returned with the voted absentee ballot"

Strike: "INCLUDED"

Insert: "used"

For the Senate:

Butcher, Chairman
Stapleton

For the House:

Sinrud, Chairman
B. Olson

FREE CONFERENCE COMMITTEE
on **Senate Bill 362**
Report No. 1, April 17, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 362** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 362** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 13 through line 14.

Strike: "ORDERED" on line 13 through "TREATMENT" on line 14

Insert: "CONVICTED OF THE OFFENSE"

2. Page 2, line 8.

Strike: "AND"

3. Page 2, line 12.

Following: "and"

Insert: "and"

4. Page 2, line 15.

Following: line 14

Insert: "(C) if the person has a driver's license, must have the license confiscated by the court for 30 days, except as provided in subsection (2)(b);"

5. Page 2, line 21.

Strike: "AND"

6. Page 2, line 25.

Following: line 24

Insert: "(C) if the person has a driver's license, must have the license confiscated by the court for 6 months, except as provided in subsection (2)(b); and"

7. Page 2, line 25.

Strike: "(C)"

Insert: "(D)"

8. Page 3, line 7.

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Following: "~~SUBSECTION (2)(B):~~"

Insert: "If the person has a driver's license, the court shall confiscate the license for 6 months, except as provided in subsection (2)(b)."

9. Page 5, line 19.

Strike: "ORDERED" through "SUBSECTION (8)"

Insert: "convicted under this section"

10. Page 5, line 21.

Strike: "ORDERED" through "SUBSECTION (8)"

Insert: "convicted under this section"

11. Page 5, line 25.

Following: "53-24-208"

Insert: "or by a court or provided under a contract with the department of corrections"

12. Page 6, line 1.

Following: "53-24-208"

Insert: "or by a court or provided under a contract with the department of corrections"

13. Page 6, line 7.

Following: "53-24-208"

Insert: "or by a court or provided under a contract with the department of corrections"

For the Senate:

Grimes, Chairman
Mangan
Perry

For the House:

Shockley, Chairman
Parker
Sales

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 4/17/2003

SB 483, introduced by Keenan

House amendments to Senate bills concurred in: 4/17/2003

SB 112, introduced by McCarthy

SB 138, introduced by Cobb

SB 294, introduced by Gebhardt

SB 320, introduced by Tester

SB 478, introduced by Story

SB 480, introduced by Black

House amendments to Senate bills not concurred in: 4/17/2003

SB 461, introduced by Story

SB 487, introduced by Pease

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House bills concurred in and returned to the House: 4/17/2003

HB 705, introduced by E. Clark

HB 735, introduced by Fisher

HB 741, introduced by Lindeen

HB 743, introduced by E. Clark

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/17/2003

HB 489, introduced by Lehman

HB 559 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 559**: 4/17/2003

Senator Glaser, Chair

Senator Elliott

Senator Story

HB 13 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 13**: 4/17/2003

Senator Zook, Chair

Senator Cooney

Senator Tash

SB 314 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 314**: 4/17/2003

Senator Stapleton, Chair

Senator Esp

Senator McCarthy

Conference Committee Report No.1 adopted: 4/21/2003

HB 642, introduced by Devlin

SB 304, introduced by Johnson

SB 330, introduced by Mangan

SB 347, introduced by Keenan

SB 395, introduced by Perry

Free Conference Committee Report No.1 adopted: 4/21/2003

HB 190, introduced by Younkin

HB 509, introduced by A. Olson

HJR 31, introduced by Facey

SB 130, introduced by McGee

SB 375, introduced by Elliott

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The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 50** sponsored by Representative Haines, **House Bill 67** sponsored by Representative Kaufmann, **House Bill 98** sponsored by Representative McKenney, **House Bill 104** sponsored by Representative Bergren, **House Bill 110** sponsored by Representative Lange, **House Bill 141** sponsored by Representative Lange, **House Bill 145** sponsored by Representative McKenney, **House Bill 161** sponsored by Representative Matthews, **House Bill 183** sponsored by Representative Steinbeisser, **House Bill 205** sponsored by Representative Franklin, **House Bill 222** sponsored by Representative Parker, **House Bill 223** sponsored by Representative Lawson et al., **House Bill 269** sponsored by Representative Bergren et al., **House Bill 317** sponsored by Representative Shockley, **House Bill 337** sponsored by Representative Ripley et al., **House Bill 385** sponsored by Representative Fritz, **House Bill 480** sponsored by Representative Steinbeisser et al., **House Bill 481** sponsored by Representative Lewis et al., **House Bill 499** sponsored by Representative Franklin, **House Bill 553** sponsored by Representative Gallik et al., **House Bill 563** sponsored by Representative Laszloffy et al., **House Bill 569** sponsored by Representative Gutsche et al., **House Bill 584** sponsored by Representative Barrett et al., and **House Bill 663** sponsored by Representative Laslovich on April 17, 2003.

Sincerely,

JUDY MARTZ
Governor

April 18, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 130** sponsored by Representative Lewis, **House Bill 155** sponsored by Representative Jent, **House Bill 157** sponsored by Representative Haines, **House Bill 179** sponsored by Representative Matthews, **House Bill 253** sponsored by Representative Hedges, **House Bill 256** sponsored by Representative Shockley, **House Bill 266** sponsored by Representative Jacobson et al., **House Bill 270** sponsored by Representative Bergren, **House Bill 289** sponsored by Representative Newman et al., **House Bill 358** sponsored by Representative Lange et al., **House Bill 468** sponsored by Representative Gillan et al., **House Bill 521** sponsored by Representative Balyeat et al., **House Bill 525** sponsored by Representative Keane et al., **House Bill 556** sponsored by Representative Gallik et al., **House Bill 573** sponsored by Representative Parker et al., **House Bill 610** sponsored by Representative Bergren et al., **House Bill 631** sponsored by Representative Lake et al., **House Bill 641** sponsored by Representative Haines, **House Bill 647** sponsored by Representative B. Thomas, and **House Bill 703** sponsored by Representative Parker et al. on April 18, 2003.

Sincerely,

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JUDY MARTZ
Governor

April 21, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 9** sponsored by Representative Kasten, **House Bill 152** sponsored by Representative Fisher, **House Bill 169** sponsored by Representative Keane, **House Bill 213** sponsored by Representative Gallik, **House Bill 292** sponsored by Representative Younkin, **House Bill 299** sponsored by Representative Peterson et al., **House Bill 338** sponsored by Representative Keane et al., **House Bill 396** sponsored by Representative Gibson et al., **House Bill 410** sponsored by Representative Younkin, **House Bill 484** sponsored by Representative R. Brown, **House Bill 512** sponsored by Representative Sinrud, **House Bill 537** sponsored by Representative Lawson et al., **House Bill 540** sponsored by Representative Gallik et al., **House Bill 618** sponsored by Representative Dickenson et al., **House Bill 640** sponsored by Representative Haines, **House Bill 648** sponsored by Representative Younkin, **House Bill 667** sponsored by Representative Harris et al., **House Bill 676** sponsored by Representative Lindeen, **House Bill 681** sponsored by Representative E. Clark, **House Bill 698** sponsored by Representative Gillan et al., **House Bill 733** sponsored by Representative Schrupf et al., and **House Bill 761** sponsored by Representative Haines et al. on April 21, 2003.

Sincerely,

JUDY MARTZ
Governor

April 21, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, MT 59620

Re: House Bill No. 218

Dear Senator Keenan and Representative Mood:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with an amendment House Bill No. 218, "AN ACT REQUIRING THAT THE OWNER OF HIGH-LEVEL RADIOACTIVE WASTE OR TRANSURANIC WASTE PAY FEES, SUBMIT A SAFETY PLAN, AND

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OBTAIN A PERMIT BEFORE SHIPPING THE WASTE THROUGH MONTANA; DEFINING TERMS; CREATING THE RADIOACTIVE WASTE TRANSPORTATION MONITORING, EMERGENCY RESPONSE, AND TRAINING ACCOUNT IN THE STATE SPECIAL REVENUE FUND; SPECIFYING HOW MONEY IN THE ACCOUNT MUST BE USED; REQUIRING THAT INITIAL NOTICE OF SHIPMENTS BE PROVIDED TO THE DISASTER AND EMERGENCY SERVICES DIVISION OF THE DEPARTMENT OF MILITARY AFFAIRS AND TO THE DEPARTMENT OF TRANSPORTATION; REQUIRING THAT THE DISASTER AND EMERGENCY SERVICES DIVISION NOTIFY CERTAIN OTHER AGENCIES AND PERSONS WHEN IT IS INFORMED THAT WASTE WILL BE ROUTED THROUGH MONTANA; PROVIDING RESPONSIBILITIES FOR OWNERS; REQUIRING THE DEPARTMENT OF TRANSPORTATION TO COLLECT THE FEES AND ISSUE PERMITS; REQUIRING INSPECTIONS; REQUIRING THAT THE PERMIT REMAIN WITH THE TRANSPORTER OF WASTE AS IT TRAVELS THROUGH THE STATE; REQUIRING THE HIGHWAY PATROL TO MONITOR OR ESCORT MOTOR CARRIERS THAT ARE CARRYING THE WASTE; PROVIDING FOR THE COORDINATION OF INSPECTIONS OF MOTOR CARRIERS; ALLOWING THE HIGHWAY PATROL TO BE REIMBURSED FOR COSTS INCURRED IN MONITORING OR ESCORTING THE MOTOR CARRIERS; SPECIFYING THAT THE PUBLIC SERVICE COMMISSION IS RESPONSIBLE FOR INSPECTING RAILS OR TRAINS THAT WILL BE INVOLVED IN CARRYING THE WASTE; PROVIDING CERTAIN RECOMMENDATIONS FOR TRANSPORT OF THE WASTE; ALLOWING THE PUBLIC SERVICE COMMISSION TO ENTER INTO RECIPROCAL AGREEMENTS WITH ADJACENT STATES AND CANADIAN PROVINCES FOR INSPECTION; REQUIRING THE PUBLIC SERVICE COMMISSION TO ESTABLISH RULES FOR CARRYING OUT THESE PROVISIONS; ASSIGNING LIABILITY; PROVIDING A PENALTY; AND PROVIDING A DELAYED EFFECTIVE DATE," without my signature and recommend the attached amendment for the following reason.

I have no concerns with the objectives of House Bill No. 218, nor with its specific measures. I recommend, however, that Section 8 (5) be amended, for clarification purposes, to read that the routing of the transport by motor carrier of high-level radioactive waste and transuranic waste must be determined by the Department of Transportation and the appropriate regulating federal authority.

I have enclosed my amendment to that effect. Please be advised that Senator Bookout-Reinicke, the sponsor of the bill, has been informed of my recommendation and has no objections.

I urge your concurrence in the amendment.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 218

1. Page 7, line 3.
Strike: "TRANSPORT"
Insert: "The routing of the transport"

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The Honorable Doug Mood

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Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, MT 59620

Re: House Bill No. 247

Dear Senator Keenan and Representative Mood:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with an amendment House Bill No. 247, "AN ACT PROHIBITING LOCAL GOVERNMENTS FROM ENACTING ORDINANCES CONCERNING VAGRANCY; REMOVING EXISTING STATUTORY PROVISIONS CONCERNING VAGRANCY; AMENDING SECTIONS 7-1-111, 7-21-3322, 7-32-4304, AND 53-21-138, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

House Bill No. 247, as it stands, would prohibit vagrancy ordinances to include aggressive solicitation. Further, House Bill No. 247, as it stands, would not prohibit (1) panhandlers from following citizens down a public sidewalk until they respond affirmatively to the solicitation; (2) panhandlers from approaching cars stopped at a traffic light; or (3) panhandlers from blocking the safe or free passage of a person on a sidewalk.

The proposed amendments would allow cities to enact an aggressive solicitation ordinance while still prohibiting non-aggressive panhandling.

For these reasons, I *recommend* that Section 1 (14) be amended as follows: **7-1-111. Powers defined.** A local government unit with self-government powers is prohibited from exercising the following: (14) *subject to 7-32-4304*, any power to enact ordinances prohibiting or penalizing vagrancy. And, I recommend that Section 3, be amended as follows: **7-32-4304. Control of disorderly conduct and aggressive solicitation.** The city or town council has power to restrain and punish persons guilty of disorderly conduct *and aggressive solicitation as defined by ordinance*.

I have enclosed my amendments to that effect. Please be advised that Representative Harris, the sponsor of the bill, has been informed of my recommendation.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 247

1. Title, line 5.

Following: "VAGRANCY;"

Insert: "CLARIFYING THAT VAGRANCY DOES NOT INCLUDE AGGRESSIVE SOLICITATION;"

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2. Page 2, line 15.

Following: "(14)"

Insert: "subject to 7-32-4304,"

3. Page 3, line 13.

Following: "conduct"

Insert: "and aggressive solicitation"

4. Page 3, line 14.

Following: "conduct"

Insert: "and aggressive solicitation as defined by ordinance"

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The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, MT 59620

Re: Senate Bill 408

Dear President Keenan and Speaker Mood:

In accordance with the powers vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with an amendment to Senate Bill 408, "AN ACT PROVIDING AN ADJUSTMENT TO ADJUSTED GROSS INCOME FOR STATE INCOME TAX PURPOSES FOR LICENSES HEALTH CARE PROFESSIONALS WHO RECEIVE A LOAN REPAYMENT INCENTIVE TO PRACTICE IN CERTAIN AREAS IN MONTANA; AMENDING SECTION 15-30-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

Senate Bill 408 provides an income tax exemption for certain health care professionals who provide medical services in areas of high need, who have student loan payments, and who receive payments by a loan repayment program.

Senate Bill 408, in its current form, does not contain language limiting the tax exemption to health care providers who have received loan payments in the current tax year for student loans that are currently outstanding. In addition, the bill in its current form provides an income tax exclusion of \$5,000 without regard to the amount of loan repayment made on behalf of the health care provider. The amendatory veto language resolves these ambiguities. The amendatory language 1) clarifies that the tax exclusion claimed is equal to the amount of the loan repayment, up to a maximum of \$5,000; 2) clarifies that the exclusion is only available to taxpayers who have a current student loan; and 3) clarifies that the taxpayer must have received the loan repayment in the tax year in which the exclusion is sought.

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I have enclosed my amendment to that effect. Please be advised that the Department of Revenue concurs with this amendment. Further, please be advised that Senator Nelson, the sponsor of the bill, has been informed of my recommendation and has no objection.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO SENATE BILL 408

1. Page 5, line 3.

Strike: "up to \$5,000"

Insert: "the amount of the loan payment received pursuant to subsection (iv), not to exceed \$5,000"

2. Page 5, line 9.

Strike: "had"

3. Page 5, line 10.

Following: "payment"

Insert: "during the tax year"

April 18, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, MT 59620

Dear Senator Keenan and Representative Mood:

Re: Senate Bill 429

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return Senate Bill No. 429, "AN ACT GENERALLY REVISING THE PROVISIONS REGARDING REDISTRICTING; PROVIDING FOR CRITERIA; PROVIDING FOR THE USE OF DECENNIAL CENSUS DATA; PROVIDING FOR THE IMPLEMENTATION OF A SUCCESSFUL CONSTITUTIONAL AMENDMENT TO REVISE LEGISLATIVE REDISTRICTING TO CREATE A NONPARTISAN PROCESS TO ALLOW THE LEGISLATURE OPPORTUNITIES TO APPROVE A PLAN; PROVIDING THAT IF A PLAN IS NOT APPROVED, A THREE-JUDGE PANEL APPOINTED BY THE SUPREME COURT SHALL APPROVE A PLAN; PROVIDING FOR A REDISTRICTING PLAN UPON ORDER BY THE COURT; AMENDING SECTION 1, CHAPTER 4, LAWS OF 2003, AND SECTIONS 5-1-101, 5-1-102, 5-1-106, 5-1-108, 5-1-109, AND 5-1-111, MCA; REPEALING SECTION 5-1-110, MCA; CONTINGENTLY REPEALING CHAPTER 3, LAWS OF 2003; AND PROVIDING AN APPLICABILITY DATE," without my signature and

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recommend the attached amendments for the following reasons.

Section 1. Redistricting criteria. As passed, Senate Bill No. 429, Section 1 concerns the issue that a plan is subject to the Voting Rights Act and must comply with a set of criteria. The recommended amendments will prioritize the criteria, set forth in Section 1, in order of importance. Further, the amendment will statutorily restrict the ability of the commission to address district boundaries that coincide with the boundaries of political subdivisions of the state to the greatest extent prior to the districts being compact.

Please be advised that Senator Esp, the sponsor of the bill, has been informed of my recommendations and has no objections.

I urge your concurrence in the amendments.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO SENATE BILL 429

1. Page 1, line 20.

Following: "criteria"

Insert: ", in order of importance"

2. Page 1, line 25.

Following: line 24

Insert: "(b) District boundaries must coincide with the boundaries of political subdivisions of the state to the greatest extent possible. The number of counties and cities divided among more than one district must be as small as possible. When there is a choice between dividing local political subdivisions, the more populous subdivisions must be divided before the less populous, unless the boundary is drawn along a county line which passes through a city."

Renumber: subsequent subsections

3. Page 2, line 1 through line 5.

Strike: subsection (d) in its entirety

4. Page 2, line 8.

Strike: "nonpartisan"

5. Page 2, line 13 through line 17.

Strike: subsection (4) in its entirety

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 421, introduced by Grimes, referred to Judiciary.

SB 483, introduced by Keenan, Zook (by request of the Senate Finance Standing Committee), referred to Appropriations.

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MOTIONS

Representative R. Brown moved the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **SB 314**. Motion carried.

The Speaker appointed the following members:

Representative E. Clark, Chair
Representative Thomas
Representative Raser

Representative R. Brown moved the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on House amendments to **SB 407**. Motion carried.

The Speaker appointed the following members:

Representative Devlin, Chair
Representative Balyeat
Representative Laslovich

Representative R. Brown moved the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **SB 424**. Motion carried.

The Speaker appointed the following members:

Representative Andersen, Chair
Representative Jackson
Representative Fritz

Representative R. Brown moved the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on House amendments to **SB 461**. Motion carried.

The Speaker appointed the following members:

Representative Devlin, Chair
Representative Lake
Representative Forrester

Representative R. Brown moved the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **SB 487**. Motion carried.

The Speaker appointed the following members:

Representative Bitney, Chair
Representative Mendenhall
Representative Small-Eastman

Majority Leader Brown moved that the House recess until 1:45 p.m. for caucuses. Motion carried.

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House recessed at 1:19 p.m.

House reconvened at 1:47 p.m. All members present. Quorum present.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Brown moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lange in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 45 - Representative Small-Eastman moved **HJR 45** be adopted. Motion carried as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, R. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lewis, Lindeen, McKenney, Musgrove, Newman, Noennig, Parker, Pattison, Raser, Roberts, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 53

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Maedje, Malcolm, Matthews, Mendenhall, Morgan, A. Olson, B. Olson, Peterson, Rice, Ripley, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 485 - Representative E. Clark moved **SB 485** be concurred in.

Representative E. Clark moved **SB 485**, second reading copy, be amended as follows:

1. Title, page 1, line 13.

Following: "PROCEEDS;"

Insert: "APPROPRIATING FUNDS FROM THE PREVENTION AND STABILIZATION ACCOUNT;"

2. Page 2, line 26.

Following: "AND"

Strike: "STABLIZATION"

Insert: "stabilization"

3. Page 3.

Strike: lines 2 through 6 in their entirety

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Insert: "(iii) independent living;
(iv) extended employment;
(v) child support enforcement state matching funds;
(vi) stabilization of rates for medicaid mental health services;
(vii) medicaid hospice services;
(viii) home health therapy services;
(ix) poison control; and
(x) AIDS funds."

4. Page 3, line 9.

Insert: "(c) Appropriations from the prevention and stabilization account for programs listed in subsection (2)(a) are restricted for the use specified and may not be transferred to other programs pursuant to 17-7-139."

5. Page 3.

Following: line 13

Insert: "NEW SECTION. **Section 4. Appropriations from prevention and stabilization account.** (1) The following amounts are biennial appropriations from the prevention and stabilization account for the 2005 biennium:

(a) mental health services and prescription drugs for programs established pursuant to 53-21-702(2) and (3), \$8,500,000;

(b) the Montana initiative for the abatement of mortality in infants program, \$1,100,000;

(c) independent living services, \$457,532;

(d) extended employment services, \$541,278;

(e) child support enforcement, \$1,263,678;

(f) mental health medicaid service rates, \$800,000;

(g) medicaid hospice services, \$340,000;

(h) medicaid home health therapy services, \$68,000;

(i) poison control, \$77,908; and

(j) AIDS funding, \$84,000.

(2) Funds remaining in the prevention and stabilization account after these appropriations have been made may be used to fund appropriations from the prevention and stabilization account that are authorized in House Bill No. 2."

Renumber: subsequent sections

Amendment adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzonried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.

Total 0

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Excused: None.
Total 0

Absent or not voting: Jent.
Total 1

Representative Maedje moved **SB 485**, second reading copy, be further amended as follows:

1. Title, line 7.

Following: "2003;"

Insert: "ESTABLISHING A TOBACCO CESSATION REIMBURSEMENT PROGRAM;"

2. Title, line 13.

Following: "PROCEEDS;"

Insert: "PROVIDING AN APPROPRIATION;"

3. Title, line 14.

Strike: "AN"

Strike: the first "DATE"

Insert: "DATES"

4. Page 1, line 27.

Following: "(2)"

Insert: "(a)"

5. Page 2, line 1.

Strike: "The"

Insert: "(b) For the biennium beginning July 1, 2003, \$200,000 of the funds remaining in the state special revenue account established in subsection (2)(a) may be used by the"

Strike: "shall"

Insert: "only to"

6. Page 2, line 2.

Strike: "and"

Insert: ". The department"

7. Page 2.

Following: line 5

Insert: "(c) (i) For the biennium beginning July 1, 2003, \$400,000 of the funds remaining in the state special revenue account established in subsection (2)(a) may be used by the department of public health and human services to establish a tobacco cessation reimbursement program to help adults who want to quit tobacco use. An adult who successfully completes a tobacco cessation program is eligible for reimbursement by the department for the cost of the program. The reimbursement must be made as follows:

(A) one-half of the cost upon presentation of evidence of enrollment in the program; and

(B) one-half of the cost upon presentation of evidence of successful completion of the program.

(ii) A request for reimbursement must be made to a local board of health.

(iii) A person who is reimbursed in accordance with the provisions of this subsection (2)(c) is not eligible for reimbursement for the successful completion of another tobacco cessation program for at least 12 months from the date of the final reimbursement under subsection (2)(c)(i)(B).

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(iv) As used in this subsection (2)(c), "tobacco cessation program" means a program offered by a health care facility licensed by the state that uses a combination of behavioral therapy and medication to treat people who want to stop smoking."

8. Page 2.

Following: line 20

Insert: "Section 2. Section 17-6-606, MCA, is amended to read:

"17-6-606. Tobacco settlement accounts -- purpose -- uses. (1) The purpose of this section is to dedicate a portion of the tobacco settlement proceeds to fund a statewide comprehensive tobacco disease prevention program designed to:

- (a) discourage children from starting use of tobacco;
- (b) assist adults in quitting use of tobacco;
- (c) provide funds for the children's health insurance program; and
- (d) provide funds for the comprehensive health association programs.

(2) (a) An amount equal to ~~32%~~ 9.6% of the total yearly tobacco settlement proceeds received after June 30, 2003, must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to in this subsection (2)(a) may be used only for funding a statewide tobacco prevention program designed to prevent children from starting tobacco use ~~and to help adults who want to quit tobacco use~~. The department of public health and human services shall manage the tobacco prevention program and shall adopt rules to implement the program. In adopting rules, the department shall consider the standards contained in Best Practices for Comprehensive Tobacco Control Programs--August 1999 or its successor document, published by the U.S. department of health and human services, centers for disease control and prevention.

(b) (i) An amount equal to 22.4% of the total yearly tobacco settlement proceeds received after June 30, 2003, must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to in this subsection (2)(b) may be used only for funding a tobacco cessation program established by the department of public health and human services to help adults who want to quit tobacco use. An adult who successfully completes a tobacco cessation program is eligible for reimbursement by the department for the cost of the program. The reimbursement must be made as follows:

- (A) one-half of the cost upon presentation of evidence of enrollment in the program; and
- (B) one-half of the cost upon presentation of evidence of successful completion of the program.

(ii) A request for reimbursement must be made to a local board of health.

(iii) A person who is reimbursed in accordance with the provisions of this subsection (2)(b) is not eligible for reimbursement for the successful completion of another tobacco cessation program for at least 12 months from the date of the final reimbursement under subsection (2)(b)(i)(B).

(iv) As used in this subsection (2)(b), "tobacco cessation program" means a program offered by a health care facility licensed by the state that uses a combination of behavioral therapy and medication to treat people who want to stop smoking.

(3) An amount equal to 17% of the total yearly tobacco settlement proceeds received after June 30, 2003, must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to in this subsection may be used only for:

(a) matching funds to secure the maximum amount of federal funds for the Children's Health Insurance Program Act provided for in Title 53, chapter 4, part 10; and

(b) programs of the comprehensive health association provided for in Title 33, chapter 22, part 15, with funding use subject to 33-22-1513.

(4) Funds deposited in a state special revenue account, as provided in subsection (2) or (3), that are not appropriated within 2 years after the date of deposit must be transferred to the trust fund.

(5) The legislature shall appropriate money from the state special revenue accounts provided for in this section for tobacco disease prevention, for the programs referred to in the subsection establishing the account, and for funding the tobacco prevention advisory board.

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(6) Programs funded under this section that are private in nature may be funded through contracted services."

Renumber: subsequent sections

9. Page 3.

Following: line 8

Insert: "NEW SECTION. Section 4. Appropriation. There is appropriated from the state special revenue account provided for in 17-6-606(2) to the department of public health and human services \$3,000,000 for each of the fiscal years 2004 and 2005 for the tobacco cessation reimbursement program."

Renumber: subsequent sections

10. Page 3, line 11.

Strike: "2"

Insert: "3"

11. Page 3, line 14.

Strike: "2"

Insert: "3"

12. Page 3, line 15.

Strike: "2"

Insert: "3"

13. Page 3, line 22.

Strike: "[This"

Insert: "(1) Except as provided in subsection (2), [this"

14. Page 3.

Following: line 22

Insert: "(2) [Section 2] is effective July 1, 2005."

Amendment **not** adopted as follows:

Ayes: Barrett, Bookout-Reinicke, Brueggeman, Cyr, Gallus, Jackson, Lambert, Lange, Lehman, Maedje, Matthews, Mendenhall, Morgan, Newman, A. Olson, Rice, Ripley, Rome, Ross, Ryan, Shockley, Steinbeisser, Stoker, Thomas, Wagman.

Total 25

Noes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Lindeen, Malcolm, McKenney, Musgrove, Noennig, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Sales, Schrupf, Sinrud, Small-Eastman, Smith, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 75

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

Motion that **SB 485**, as amended, be concurred in carried as follows:

Ayes: Andersen, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cyr, Devlin, Dickenson, Erickson, Everett, Fisher, Forrester, Fritz, Fuchs, Galvin-Halcro, Gibson, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 67

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, P. Clark, Cohenour, Dowell, Facey, Franklin, Gallik, Gallus, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lawson, Lindeen, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Wilson.
Total 33

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 489 - Representative Shockley moved **SB 489** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 775 - Representative Laszloffy moved **HB 775** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D.

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Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 2 - Senate Amendments - Representative Devlin moved Senate amendments to **HJR 2** be concurred in. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Gallus, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lehman, Lenhart, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 53

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lindeen, Matthews, Musgrove, Parker, Raser, Rice, Ryan, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 490 - Representative Noennig moved **SB 490** be concurred in.

Representative Noennig moved **SB 490**, second reading copy, be amended as follows:

1. Page 7, line 19.

Insert: "(3) Interest and earnings on the account must be deposited in the account."

Amendment adopted as follows:

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Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Buzzas.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Motion that **SB 490**, as amended, be concurred in carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Callahan, Galvin-Halcro, Lawson, Wanzenried.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 31 - Representative Shockley moved **SJR 31** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Gibson, Gillan, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas,

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Wagman, Waitschies, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 80

Noes: Bergren, Callahan, P. Clark, Dickenson, Franklin, Gallik, Galvin-Halcro, Golie, Gutsche, Jayne, Keane, Laslovich, Mendenhall, Musgrove, Newman, Parker, Ryan, Weiss, Wilson.
Total 19

Excused: None.
Total 0

Absent or not voting: Wanzenried.
Total 1

HB 539 - Senate Amendments - Representative Brueggeman moved Senate amendments to **HB 539** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 261 - Senate Amendments - Representative Haines moved Senate amendments to **HB 261** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Gibson, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kaufmann, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Schruppf, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Windy Boy, Witt, Younkin.
Total 75

Noes: Balyeat, Everett, Franklin, Fuchs, Galvin-Halcro, Gillan, Golie, Hawk, Jayne, Kasten, Laszloffy, Maedje, B.

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Olson, Pattison, Ryan, Sales, Shockley, Sinrud, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Mr. Speaker.
Total 24

Excused: None.
Total 0

Absent or not voting: Keane.
Total 1

HB 722 - Senate Amendments - Representative E. Clark moved Senate amendments to **HB 722** be concurred in. Motion carried as follows:

Ayes: Andersen, Barrett, Becker, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, E. Clark, P. Clark, Devlin, Everett, Fisher, Franklin, Fuchs, Gallus, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 65

Noes: Ballantyne, Balyeat, Bergren, Bixby, Branae, Carney, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Keane, Lenhart, Musgrove, Raser, Ryan, Sales, Small-Eastman, Smith, Wanzenried, Wilson.
Total 35

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 767 - Senate Amendments - Representative Brueggeman moved Senate amendments to **HB 767** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

Noes: Balyeat, Erickson, Fritz, Jayne, Sales.
Total 5

Excused: None.
Total 0

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Absent or not voting: Lehman.
Total 1

Representative Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Lange moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Devlin, Dickenson, Everett, Fisher, Fritz, Fuchs, Gibson, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Roberts, Rome, Ross, Schrumpf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 62

Noes: Balyeat, Bergren, Branae, Buzzas, Callahan, P. Clark, Cohenour, Cyr, Dowell, Erickson, Facey, Forrester, Franklin, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Keane, Lenhart, Lindeen, Musgrove, Parker, Raser, Ryan, Sales, Wanzenried, Weiss, Wilson, Windy Boy.
Total 36

Excused: None.
Total 0

Absent or not voting: Ripley, Smith.
Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 491, from consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

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Absent or not voting: Gallus.
Total 1

HB 452, as amended by the Senate, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 91

Noes: D. Brown, Devlin, Hedges, Jackson, Lake, Pattison, Sales, Steinbeisser, Waitschies.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 693, as amended by the Governor, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Balyeat, Fritz, Jayne, Sales, Smith.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 721, as amended by the Senate, passed as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman,

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Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 85

Noes: Balyeat, Barrett, R. Brown, Fisher, Fuchs, Hawk, Jackson, Kasten, Lake, Laszloffy, Morgan, Rice, Sales, Smith, Wagman.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 744, as amended by the Senate, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: Dickenson, Gallik, Golie.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 748, as amended by the Senate, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice,

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Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Callahan, Dickenson, Golie, Juneau.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 35 adopted as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Stoker, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 90

Noes: Balyeat, Everett, Fisher, Lake, Maedje, Mendenhall, Steinbeisser, Wagman, Waitschies, Witt.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 37 adopted as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 92

Noes: Balyeat, Jayne, Maedje, Newman, Pattison, Sales, Sinrud, Waitschies.
Total 8

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 40 adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Barrett, Waitschies.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 41 adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

Noes: Shockley, Waitschies.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HJR 42 adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 93

Noes: Bixby, D. Brown, Everett, Fuchs, Hawk, Steinbeisser, Waitschies.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 43 adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 89

Noes: Barrett, Everett, Fisher, Hawk, Hurwitz, Jackson, Lake, Malcolm, Mendenhall, Steinbeisser, Waitschies.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 384 concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews,

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McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Harris, Jent, Laszloffy, Shockley.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 399 concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Dickenson, Galvin-Halcro, Golie, Malcolm, Newman.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 446 concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

Noes: Bergren, Gallik, Hurwitz, Keane, Newman, Wanzenried.
Total 6

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 473 concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 92

Noes: Balyeat, Everett, Hawk, Kasten, Laszloffy, Malcolm, Pattison, Sales.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 13 concurred in as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Matthews, Musgrove, Newman, Noennig, A. Olson, Parker, Peterson, Raser, Roberts, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Stoker, Wanzenried, Weiss, Wilson, Windy Boy.
Total 63

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Everett, Fisher, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Maedje, Malcolm, McKenney, Mendenhall, Morgan, B. Olson, Pattison, Rice, Ripley, Rome, Sales, Sinrud, Steinbeisser, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 37

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SJR 17 concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 94

Noes: Everett, Gillan, Jackson, Jayne, Thomas, Waitschies.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 775 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Thomas, Chairman):

4/22/2003

SJR 32, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

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CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 336**
Report No. 1, April 22, 2003

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 336** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 336** (reference copy -- salmon) be amended as follows:

1. Title, line 11.

Following: "~~NOT~~"

Insert: "NOT"

2. Title, line 12.

Strike: "INTENDS"

Insert: "DOES NOT INTEND"

3. Title, line 14.

Strike: "AND FISHING ACCESS SITES"

4. Page 3, line 3.

Strike: "\$3.25"

Insert: "\$3.50"

5. Page 3, line 4.

Strike: "50"

Insert: "25"

6. Page 4, line 24.

Strike: "AND FISHING ACCESS SITES"

7. Page 6, line 12.

Strike: "IF"

Insert: "Unless"

8. Page 6, line 17.

Strike: "INTENDS"

Insert: "does not intend"

9. Page 6, line 18.

Following: "not"

Insert: "not"

10. Page 6, line 19.

Following: "is"

Strike: "NOT"

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For the Senate:

Mahlum, Chairman
Shea
Sprague

For the House:

Brueggeman, Chairman
Golie
Lange

MESSAGES FROM THE SENATE

HB 558 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 558**:

4/22/2003

Senator Mahlum, Chair
Senator Shea
Senator Sprague

HB 559 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 559**:

4/22/2003

Senator Glaser, Chair
Senator Elliott
Senator Story

SB 461 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 461**:

4/22/2003

Senator Story, Chair
Senator DePratu
Senator Stonington

MOTIONS

Representative Jent moved the Speaker dissolve the conference committee and reappoint a second conference committee to meet with a like committee from the Senate on **HB 424**. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Parker.
Total 1

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

Representative R. Brown moved the Speaker dissolve the conference committee on and appoint a free conference committee to meet with a like committee from the Senate on **HB 559**. Motion carried.

The Speaker will announce the committee assignments to **HB 424** and **HB 559** during Unfinished Business on Legislative Day 86.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 8:30 a.m., Wednesday, April 23, 2003. Motion carried.

House adjourned at 4:04 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House